

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

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MAR 10 1994  
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In the matter of

Amendment of the Amateur Service Rules )  
to Implement a Vanity Call Sign System )

PR Docket 93-305

COMMENTS OF RAPHAEL SOIFER

1. I am an Extra Class amateur licensee with the call sign W2RS and have held an amateur license since 1955. My address is 60 Waldron Avenue, Glen Rock, NJ 07452-2831.
2. The purpose of these Comments is to suggest modifications to the Notice of Proposed Rule Making (NPRM) which would provide for "vanity" call signs, while at the same time reinforcing the concept and operation of the incentive licensing system which has served us well since 1968. Under my suggested modifications, certain "vanity" call signs would be available to all licensed amateurs under specific circumstances, while those holding the higher classes of license (Extra and Advanced) would receive commensurately greater privileges in their choice of call sign. Comments are also provided on the subject of fees.
3. As noted in the NPRM, an amateur's call sign is, in radio matters, the primary indicator of his or her identity; for example, while many

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thousands of radio amateurs worldwide would "recognize" me as W2RS, only a relative handful of these would ever be likely to know me by my "proper" name. For many radio amateurs, especially those who have been active on the air for a period of years, the opportunity to obtain a call sign of their own choosing would be highly attractive; indeed, history shows that it was very much viewed as such whenever this opportunity was available.

4. The call sign which I presently hold was originally obtained in 1976 on the basis of my Extra Class license under the priority assignment system then in use, which was restricted to Extra Class licensees but was subsequently discontinued. Through my own participation as well as my contemporaneous observations of others, I can testify that the privilege of choosing one's own call sign from among those available was considered so valuable that it served as a very powerful incentive to upgrade to an Extra Class license. In many such cases, the call sign privilege was even more important to the decision to upgrade than were the additional frequency privileges that went with the higher class of license.

5. From this experience, I believe that, except in a few special cases discussed below, the proposed "vanity" call sign system should again be primarily restricted to the higher classes of amateur license; however, rather than restricting it to Extra Class only as in the 1970s, I propose that it be broadened to include Advanced Class amateurs, who would (with one exception, discussed in Paragraph 7 below) be permitted to choose any unassigned call sign in Groups B, C or D. In addition, my proposed modifications to the NPRM include

several specific cases in which certain call signs would be available to amateurs holding any class of license. This would strengthen the Amateur Services by restoring a valuable incentive to upgrade one's class of license that was taken away when the earlier assignment system was discontinued. "Rules which provide for advancing skills" are an important part of the Basis and Purpose of these services, as set forth in Sec. 97.1(c) of the Commission's Rules. In my opinion and experience, adopting the proposal of the NPRM to open the "vanity" call sign system to all licensees under virtually all circumstances would be to miss this "once in a lifetime" opportunity to strengthen our services at no additional cost to the Commission.

6. While some may argue that the present system of call sign groups for different classes of license provides incentive enough, I would point out that all of the most desirable call signs, those of the "1x2" (e.g., N0XX) and "2x1" (e.g., KX5X) types, available for assignment under the present sequential call sign system, have already been used up, and, if the NPRM is adopted, the remaining unassigned "1x2" and "2x1" calls would in all likelihood be exhausted within a relatively short time as "vanity" call signs. Especially for encouraging upgrades to Extra Class, the system is thus in need of a new incentive to replace the largely exhausted one of "1x2" and "2x1" call signs.

7. Group C, presently open to amateurs of Technician Class and up, contains another group of call signs which are highly prized by amateurs, "1x3" calls beginning with the letters W and K (e.g., W1AAA or K2BBB); these are not currently open for assignment under the

sequential call sign system. Rather than opening them to all comers of Technician Class or higher as "vanity" call signs as is proposed in the NPRM, I suggest restricting their availability to Extra Class amateurs; this would provide a meaningful incentive for upgrading to Extra Class in addition to the now largely depleted one of "1x2" and "2x1" call signs. Thus, in effect, "Wx3" and "Kx3" call signs would be transferred to Group A from Group C for purposes of the "vanity" call sign program. These "preferred" call signs are not currently being assigned to anyone, so that moving them, in effect, from Group C to Group A (with respect to new assignments only) would not adversely affect anyone's present status. Present holders of such call signs would, of course, continue to hold and renew them without regard to the class of license held.

8. As in the system under which I obtained my own call sign, I suggest that competing applications for the same call sign by amateurs holding the same class of license be resolved by awarding the call sign to the applicant who has held that class of license the longest; this would provide an additional, if incremental, incentive to upgrade now for possible future priority in assignment and would, in any event, be consistent with the philosophy discussed above. In marked contrast, to award priority on the basis of seniority in amateur radio regardless of the levels of license held would not have the same benefit to the public interest of encouraging advancement in skills and knowledge.

9. As with any proposed set of rules, there are a few meritorious exceptions which deserve to be considered. Under the Commission's

Rules as they existed in the past, any licensed amateur at one time could obtain an unassigned call sign of which he or she had been the most recent former holder. This privilege was, of course, restricted to those holding a class of license appropriate to the call sign being requested, e.g., Novices could not obtain "1x3" calls. In addition, Commission practice typically enabled the assignment of "counterpart" call signs in cases where an amateur moved from one call sign district to another, e.g., KN2XXX moving to California could receive KN6XXX if that call happened to be unassigned. I propose that these practices be revived for all licensed amateurs, subject of course to the applicant's holding a class of license appropriate to the call sign group being requested (as modified herein).

10. For many years, bona fide club stations could obtain "memorial" call signs of deceased members, with each such station being required to have a trustee holding the appropriate class of license. The Commission has since discontinued the issuance of new club station licenses while continuing to renew those already in existence. I propose that issuance of these call signs, too, be revived, subject to the requirement that each such station have a designated control operator (a modern replacement for the former "trustee") who is eligible, by virtue of his or her own class of license, to hold the "memorial" call sign being applied for (were that person to apply for the call sign for his or her own station under the modified "vanity" program as proposed herein), but who need not surrender his or her own individual call sign for this purpose. For example, were I to apply to become the designated control operator of club station W2XYZ, under my proposal I would be able to do this (as an Extra Class licensee)

without having to give up W2RS for my own station. However, KB2XY, an Advanced Class licensee, would not be able to be the designated control operator of W2XYZ without first upgrading to Extra Class. He would, however, be eligible to be the designated control operator of any club station with a call sign in Groups B, C, or D as modified herein. Adopting this procedure would facilitate the maintenance of highly desirable club traditions while also strengthening the principle of incentive licensing as discussed above.

11. In some countries, e.g., the United Kingdom where I have operated under a reciprocal license for many years, it is possible for an individual to obtain a "memorial" call sign of which a deceased family member was the most recent holder, as long as that individual is otherwise qualified to hold that call sign (e.g., in the U.K., a Class B licensee may not obtain a Class A call sign without first passing the Class A examination, which consists of a 12 wpm code test). In view of the importance to the U.S. Amateur Services of the principle of incentive licensing, I do not think it is too much to ask such an individual to obtain an Extra or Advanced Class license. If my proposal herein is adopted, nothing would prevent such a qualified person from applying for the family member's call sign as his or her "vanity" call as discussed above; in fact, I would expect some people to do so and would support their having this opportunity. Thus, I do not see a need for a special exception to cover this.

12. With respect to fees: a "user fee" in excess of the actual cost to the Commission of implementing the proposal in this docket would simply be a tax by another name, to which I and, I assume, most radio

amateurs, are strongly opposed. I would, however, support the Commission's recouping its cost of implementation through reasonable application fees, but only if applicable legislation and budgetary procedures require that the proceeds of such fees be used specifically for the purpose intended. It is my understanding that the enabling legislation presently requires the collection of an annual fee (not an application fee) covering not only the initial period of a license with a "vanity" call sign, but also renewal periods; clearly, this provision has nothing to do with the Commission's costs and is nothing more than a tax. I urge the Commission to seek amendment of the enabling legislation to permit it to recoup its cost of implementation through a system of reasonable application fees which would be applied directly to the Commission's costs by the budgetary process and not be treated as general revenue of the federal government. In addition, such legislation should provide for the preparation and public release by the Commission of an annual report detailing the amounts of such fees collected and the costs actually incurred in the implementation of the procedures to be adopted herein.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'Raphael Soifer', written in dark ink.

Raphael Soifer

February 28, 1994